

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PELEUS INSURANCE COMPANY,

1:22-cv-08099-JHR

Plaintiff,

-against-

NOTICE OF MOTION

GARFIELD CONSTRUCTION, LLC and
NOONAN PLAZA HOUSING, LLC,

Defendants.

PLEASE TAKE NOTICE that plaintiff Peleus Insurance Company upon the declarations of Jonathan R. Harwood, dated August 14, 2023, Rebekah Vogel and Jonathan Harwood dated August 14, 2023, together with the exhibits attached thereto, the accompanying [Rule 56.1](#) Statement of Material Facts and Memorandum of Law, will move this Court, before the Honorable Jennifer H. Rearden, United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, on a date and at a time designated by the Court for an order pursuant to [Federal Rule of Civil Procedure 56](#), granting summary judgment to plaintiff Peleus Insurance Company and judgment in favor of plaintiff be entered, declaring that it does not owe defense or indemnity coverage to defendants for the underlying action at issue in this case, pursuant to a policy of insurance issue to them by plaintiff, together with such other relief as this Court deems appropriate.

Pursuant to the Court's order of July 5, 2023, opposition papers, and reply papers, if any, are to be filed by September 22, 2023.

Dated: Hawthorne, New York
August 14, 2023

TRAUB LIEBERMAN STRAUS & SHREWSBERRY LLP

By: *Jonathan R. Harwood*

Jonathan R. Harwood, Esq. (9060)

Attorneys for Plaintiff

Peleus Insurance Company,

Mid-Westchester Executive Park

Seven Skyline Drive

Hawthorne, New York 10532

(914) 347-2600

jharwood@tlsslaw.com